


MEMORANDUM

Agenda Item No. 10(A)(5)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** November 4, 2003

FROM: Robert A. Ginsburg
County Attorney **SUBJECT:** Resolution relating to a ballpark for the Florida Marlins

The accompanying resolution was prepared and placed on the agenda at the request of Chairperson Barbara Carey-Shuler, Ed.D., Commissioner Jose "Pepe" Diaz, Commissioner Sally A. Heyman, Commissioner Dennis C. Moss, Commissioner Dorrin D. Rolle, Commissioner Rebeca Sosa and Senator Javier D. Souto.


Robert A. Ginsburg
County Attorney

RAG/bw




MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: November 4, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 10(A)(5)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 10(A)(5)

11-4-03

RESOLUTION NO. _____

RESOLUTION PLEDGING AVAILABLE CONVENTION DEVELOPMENT TAX AND PROFESSIONAL SPORTS FRANCHISE FACILITY TAX PROCEEDS FOR THE DEVELOPMENT AND CONSTRUCTION OF BALLPARK FOR FLORIDA MARLINS, L.P.; APPROVING CERTAIN CONDITIONS AND AUTHORIZING COUNTY MANAGER TO NEGOTIATE ANY AND ALL RELATED AGREEMENTS SUBJECT TO FINAL BOARD APPROVAL

WHEREAS, this Board desires to provide financial support for the development and construction of a ballpark for the Florida Marlins, L.P. at a cost that is not anticipated to exceed, excluding the cost of land, \$325 million ("Ballpark"),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The County agrees to pledge Convention Development Tax proceeds ("CDT") in an amount sufficient to secure \$35 million of indebtedness and Professional Sports Franchise Facility Tax proceeds ("PST") in an amount sufficient to secure \$38 million of indebtedness for the development and construction of the Ballpark for the Florida Marlins, L.P. (Team) if (i) the Team will contribute \$137 million towards the development and construction of the Ballpark subject to the Team receiving financing upon reasonable terms; (ii) prior to March 15, 2004, a financing plan shall be finalized for the Ballpark; and (iii) the Team will be responsible for any and all Ballpark construction cost overruns subject to having control of the Ballpark design and construction.

Section 2. In the event the conditions set forth in Section 1 are not met, the pledge will be null and void.

Section 3. The Board hereby authorizes the County Manager to negotiate all required agreements with the Team and other parties for subsequent Board approval.

The foregoing resolution was sponsored by Chairperson Barbara Carey-Shuler, Ed.D., Commissioner Jose "Pepe" Diaz, Commissioner Sally A. Heyman, Commissioner Dennis C. Moss, Commissioner Dorrin D. Rolle, Commissioner Rebeca Sosa and Senator Javier D. Souto, and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of November, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Gerald T. Heffernan

